

SECOND REGULAR SESSION

HOUSE BILL NO. 2046

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES RELFORD AND HOPPE (Co-sponsors).

Read 1st time February 26, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4839L.011

AN ACT

To repeal section 393.705, RSMo, and to enact in lieu thereof one new section relating to contracts for public water and sewer supply.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 393.705, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 393.705, to read as follows:

393.705. As used in sections 393.700 to 393.770 and sections 386.025, RSMo, and 393.295, the following terms shall, unless the context clearly indicates otherwise, have the following meanings:

(1) "Bond" or "bonds", any bonds, interim certificates, notes, debentures or other obligations of a commission issued pursuant to sections 393.700 to 393.770 and sections 386.025, RSMo, and 393.295;

(2) "Commission", any joint municipal utility commission established by a joint contract [under] **pursuant to** sections 393.700 to 393.770 and sections 386.025, RSMo, and 393.295;

(3) "Contracting municipality", each municipality which is a party to a joint contract establishing a commission [under] **pursuant to** sections 393.700 to 393.770 and sections 386.025, RSMo, and 393.295, a water supply district formed [under the provisions of] **pursuant to** chapter 247, RSMo, or a sewer district formed pursuant to [the provisions of] chapter 204, RSMo, or chapter 249, RSMo;

(4) "Joint contract", the contract entered into among or by and between two or more of the following contracting entities for the purpose of establishing a commission:

(a) Municipalities;

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 (b) Public water supply districts;

18 (c) **Public** sewer districts;

19 [(d) Nonprofit water companies; or

20 (e) Nonprofit sewer companies;]

21 (5) "Person", a natural person, cooperative or private corporation, association, firm,
22 partnership, or business trust of any nature whatsoever, organized and existing under the laws
23 of any state or of the United States and any municipality or other municipal corporation,
24 governmental unit, or public corporation created under the laws of this state or the United States,
25 and any person, board, or other body declared by the laws of any state or the United States to be
26 a department, agency or instrumentality thereof;

27 (6) "Project", the purchasing, construction, extending or improving of any
28 revenue-producing water, sewage, gas or electric light works, heating or power plants, including
29 all real and personal property of any nature whatsoever to be used in connection therewith,
30 together with all parts thereof and appurtenances thereto, used or useful in the generation,
31 production, transmission, distribution excluding retail sales, purchase, sale, exchange, transport
32 and treatment of sewage or interchange of water, sewage, electric power and energy, or any
33 interest therein or right to capacity thereof and the acquisition of fuel of any kind for any such
34 purposes.